

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DT05-883-PCT/PTO 18 FEB 2005

In re Application of:

IVANOVA et al.

International Application No. PCT/EP2003/009291

Serial No. NOT YET ASSIGNED

International Filing Date: 21 August 2003 (21.08.2003)

Filed: Feb. 18, 2005For: **INDUCIBLE ALPHAVIRAL/ORIP BASED GENE EXPRESSION SYSTEM**TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

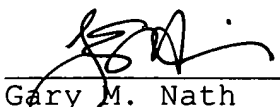
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Transmittal Letter To U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371
- (3) International Publication No: WO 2004/018506 A2 & A3 with International Publication Date: 4 March 2004 (04.03.2004) and International Search Report; which consists of 112 pages including:
 - 1 page cover sheet,
 - 59 pages Textual Specification,
 - 14 pages of 85 claims,
 - 1 page of the Abstract,
 - 1 sheet of Drawings with abstract;
 - 36 page Sequence Listing;
- (4) **Preliminary Amendment with Attachment A to be examined;**
- (5) Unexecuted Inventor's Declaration;
- (6) PCT/IPEA/409 and PCT/IPEA/416 International Preliminary Examination Report;
- (7) Check No. 22627 \$4,500.00 for Government Filing Fee and additional claims fee;
- (8) Postcard for early notification of serial number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:



Gary M. Nath
Registration No. 26,965
Tanya E. Harkins
Registration No. 52,993
Customer No. 20529

Date: Feb 18, 2005
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ATTORNEY'S DOCKET NO: 26602U

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: 18 February 2005 (18.02.2005)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. 10/524818 Not Yet Assigned
INTERNATIONAL APPLICATION NO.: PCT/EP2003/009291	INTERNATIONAL FILING DATE: 21 August 2003 (21.08.2003)	PRIORITY DATE CLAIMED: 22 August 2002 (22.08.02) US 11 December 2002 (11.12.02) US
TITLE OF INVENTION: INDUCIBLE ALPHAVIRAL/ORIP BASED GENE EXPRESSION SYSTEM		
APPLICANT(S) FOR DO/EO/US: IVANOVA, Lidia; RENNER, Wolfgang; SAUDAN, Philippe		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f) The submission must include items(5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <p style="margin-left: 40px;">a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 40px;">d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <input type="checkbox"/> Other items or information: TRANSMITTAL FORM; FEE CALCULATION; INTERNATIONAL PUBLICATION WO 2004/018506 A2 & A3 WITH INTERNATIONAL PUBLICATION DATE 4 MARCH 2004 (04.03.2004) WITH INTERNATIONAL SEARCH REPORT; WHICH CONSISTS OF 112 PAGES INCLUDING: 1 PAGE COVER SHEET, 59 PAGES TEXTUAL SPECIFICATION, 14 PAGES OF 85 CLAIMS; 1 PAGE OF THE ABSTRACT; 1 SHEET OF DRAWINGS WITH ABSTRACT, 36 PAGE SEQUENCE LISTING; PRELIMINARY AMENDMENT WITH ATTACHMENT A TO BE EXAMINED; UNEXECUTED INVENTOR'S DECLARATION; PCT/IPEA/416 & 409 INTERNATIONAL PRELIMINARY EXAMINATION REPORT</p>		

U.S. APPLICATION NO. (if known) not yet assigned 10/524818	INTERNATIONAL APPLICATION NO. PCT/EP2003/009291	DATE: 18 February 2005 (18 2.2005)
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21. <u>x</u> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5): With search fee and examination fee:.....\$1,000.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>	<u>CALCULATIONS</u> \$ 1,000.00 \$ 1,000.00	<u>PTO USE ONLY</u>
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Surcharge of \$130.00 for furnishing the oath or declaration later than ____ 20 ____ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$	
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CLAIMS	NO. FILED	NO. EXTRA	RATE		
TOTAL	85 -20=	65	X \$ 50.00	\$	3,250.00
INDEPENDENT	3 - 3=	0	X \$ 200.00	\$	0.00
Multiple dependent claims(s) (if applicable)			+ \$280.00	\$	0.00
TOTAL OF ABOVE CALCULATIONS =				\$	4,250.00
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$	0.00
SUBTOTAL =				\$	4,250.00
National Stage Application Size Fee- for each additional 50 sheets that exceeds 100 sheets \$250.00 per 50 sheets				\$	250.00
TOTAL NATIONAL FEE =				\$	4,500.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	0.00
TOTAL FEES ENCLOSED =				\$	4,500.00
				Amount to be:	
				refunded	\$
				charged	\$

U.S. APPLICATION NO.
(if known) not yet assigned

INTERNATIONAL APPLICATION NO.

DATE: 18 February 2005 (18/02.2005)

10/524818

PCT/EP2003/009291

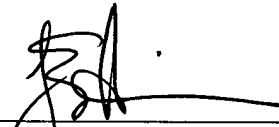
- a. ☒ One check in the amount of \$ 4,500.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.
- d. ☐ Fees are to be charged to a credit card ☐ WARNING: Information on this form may become public ☐ Credit Card Information should not be included on this form. ☐ Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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